

Article - Environment

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§15-517.

(a) The Secretary shall establish within the Bituminous Coal Open-Pit Mining Reclamation Fund a bond supplement reserve to be used if funds received from the forfeiture of bonds under § 15-514 of this subtitle are not sufficient:

(1) To reclaim the land affected by the operation on which the liability was charged on the bond; and

(2) To perform:

(i) The requirements of this subtitle;

(ii) The requirements of regulations adopted under this subtitle; and

(iii) Any permit condition that the operator has failed to perform.

(b) The Secretary shall deposit to the credit of the bond supplement reserve the following funds:

(1) A portion of the assessment under § 15-509(b)(1) of this subtitle equal to 2 cents for each ton of coal produced for the month;

(2) The amount of the assessment under § 15-509(b)(2) of this subtitle; and

(3) The amount of the assessment under § 15-509(d) of this subtitle.

(c) When the amount of money in the bond supplement reserve equals or exceeds \$750,000 at the end of the month, deposits into the reserve of the amounts provided in subsection (b)(1) and (2) of this section shall end temporarily.

(d) The assessment under § 15-509(d) of this subtitle shall end temporarily for any month when:

(1) The amount of money in the bond supplement reserve equals or exceeds \$750,000 at the end of the month;

(2) An amount equal to the amount paid to the bond supplement reserve under subsection (b)(1) of this section from the assessment under § 15-509(d) of this subtitle has been credited to the Bituminous Coal Open-Pit Mining Reclamation Fund; and

(3) An amount equal to the amount paid to the bond supplement reserve under subsection (b)(2) of this section from the assessment under § 15-509(d) of this subtitle has been remitted to the fiscal authority of the county in which the coal was removed.

(e) At the end of any month when the amount of money in the bond supplement reserve is reduced below \$500,000:

(1) The assessment under § 15-509(d) of this subtitle shall resume; and

(2) Deposits into the bond supplement reserve of the amounts in subsection (b)(1), (2), and (3) of this section shall resume.

(f) The Secretary shall notify each county when remitting or suspending the remittance of the amount under § 15-509(b)(2) of this subtitle.

(g) The Secretary shall meet and confer with the Land Reclamation Committee at least 30 days before procuring any services for which funds from the bond supplement reserve will be used, and shall provide the Committee an opportunity to submit comments and recommendations about the proposed expenditure.

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